

ARTICLE 23

PERMANENT SEASONAL EMPLOYMENT

1. Seasonal employment, as authorized in Title 5 Code of Federal Regulations Part 340, Subpart D (5 CFR 340, Subpart D) means annually recurring periods of work of less than 26 pay periods each calendar year. Seasonal employees are permanent employees who are placed in nonduty/nonpay status and recalled to duty in accordance with pre-established conditions of employment.
2. A permanent seasonal employment agreement must be executed between the Forest Service and the seasonal employee prior to initial appointment. The template in Appendix G will be used for the executed agreement and maintained in the employee's electronic Official Personal Folder (eOPF). Management and the seasonal employee will discuss the terms and conditions of the employment agreement. The employee and Management must sign and date the agreement. Management will provide the employee with a copy. There will be no change in any terms of employment without notifying the employee and the Union. Any permanent changes will require a new agreement.

Annually, the supervisor and the employee will communicate to establish the starting and ending dates two pay periods in advance of the action. Upon request, the Local Union will be provided copies of the employee's employment agreement.

3. Management will determine the length of the season, subject to the condition that it be clearly tied to the nature of the work. The season (including the beginning and ending dates) must be defined as closely as practicable so that an employee will have a reasonably clear idea of how much work he or she can expect during the year. The employee is obligated to work for the

minimum period specified in the employment agreement. The length of the season may be extended by mutual agreement between Management and the employee.

4. Upon request by the employee, the guaranteed minimum tour may be reviewed to determine if the minimum tour should be increased.
5. Release and recall procedures must be established in advance and uniformly applied. They may be based on performance, seniority, veterans' preference, other appropriate indices, or a combination of factors (5 CFR 340.402(d)). These procedures are negotiable at the appropriate level.
6. When a seasonal employee is called back during their nonduty/nonpay status period (for example, to attend a training session), they will normally be called back to full-time status rather than intermittent status.
7. Should Management need to permanently reduce seasonal tours below the minimum guaranteed tour, the following options apply:

- (1) Reductions-in-force (RIF) procedures as outlined in 5 CFR 351, or
- (2) Negotiate other procedures nationally in accordance with Article 11.

In case of a temporary reduction (for the current year), furlough procedures will be used pursuant to Article 33 of this Master Agreement. Furloughs more than 30 days follow 5 CFR 351 procedures, and those less than 30 days follow 5 CFR 752 procedures.

8. Seasonal employees serving under career appointment may move to other positions in the same way as other regular career employees (5 CFR 340.402).
9. Seasonal employment may not be used as a substitute for full-time employment or as a buffer for the full-time workforce (5 CFR 340.402).